

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 12129, of Marvin Chase, pursuant to Sub-section 8207.2 of the Zoning Regulations for a special exception under Sub-section 7104.2 and Section 7109 to change a non-conforming use from an office to a variety store in the R-4 district on the first (1st) floor of the premises at No. 11 - 15th Street, S.E. (Square 1058, Lot 46.).

HEARING DATE: May 19, 1976  
DECISION DATE: May 25, 1976

FINDINGS OF FACTS:

1. The subject property is located in the R-4 district.
2. The presently non-conforming use of the property is for an office, display and sales of storm windows under Certificate of Occupancy No. B-795, issued May 2, 1956.
3. In the original filing of the application the applicant requested a change in non-conforming use from office, display and sales of storm windows to a variety store including pre-packaged food products on the first (1st) floor of the subject premises.
4. Testimony given by the applicant at the time of the public hearing was contradictory to the original use applied for. The applicant listed different possible uses of the premises ranging from a variety store to a work shop.


CONCLUSIONS OF LAW AND OPINION:

The Board is of the opinion that because the applicant was very uncertain as to the use of the subject premises, it would be unable to conclude whether the use would be a neighborhood facility, or whether it would be objectionable to adjacent or neighboring property. The Board was also uncertain as to the adverse effect such use would have on present and future development of the area. It is therefore ORDERED that this application be, DENIED.

VOTE: 3-0 (Lilla Burt Cummings, Esq., Leonard L. McCants, Esq., and William F. McIntosh to DENY, William S. Harps and Theodore F. Mariani not voting, not having heard the case).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
ARTHUR B. HATTON  
Executive Secretary

FINAL DATE OF ORDER:

*July 13, 1976*